

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

NATHAN LING,

PLAINTIFF,

VS

CIVIL ACTION NO: 3:20-CV-233

CAMPBELL COUNTY, TENNESSEE;
JUSTIN CRABTREE; DAKOTA WILLIAMS;
SEAN BROWN; JOSHUA MILLER, in their
individual and official capacities;
and JOHN DOES, names and identities
not yet known,

DEFENDANTS.

PRETRIAL DISCOVERY DEPOSITION OF:

JOSHUA MILLER

TAKEN ON JULY 26, 2022

CERTIFIED COPY

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APPEARANCES:

FOR PLAINTIFF: TONY SEATON, ESQ.
 THOMAS SMITH, ESQ.

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FOR DEFENDANTS: ARTHUR F. KNIGHT, III, ESQ.

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1 kinda trying to bathe him. We were trying to get the
2 -- we had turned the water on and I was wiping his
3 back and trying to just get him, trying to clean him
4 up a little bit from everything, trying to get the
5 blood off of him. And Standridge had pulled his spit
6 mask off and so he was just letting the water run.
7 He was just as calm as could be and we were both like
8 trying to talk to him, like hey, man, how does this
9 feel? Are you all right, and stuff like that. And
10 he had, Brown had kinda, I guess, he walked up behind
11 us and seen that he didn't have his spit mask on and
12 he hated that. So he wanted it back on, so he went
13 and got another one and he was, he said that they
14 needed to get the spit mask back on him, and at that
15 time that's when Dakota had walked into the booking
16 area where we were trying to wash him off and I had
17 kinda just backed up out of the way. 'Cause there
18 was five people trying to stand in this one man
19 bathroom, and Standridge was on his right, Brown was
20 on his right, and Dakota was on his left. And he
21 said, I can't get the spit mask on him, going to have
22 to take him to the ground, and at that time, that's
23 when they were like kinda, he was bent over like
24 this, like down trying to keep his head away from
25 them, and he, that's when Dakota had hit him in the

1 lower back. He said, get down, and like kinda just
2 done like three hits like that.

3 Q. Uh-huh (affirmative).

4 A. I don't think it was real forceful...

5 Q. Uh-huh (affirmative).

6 A. ...but had done it in his lower back and
7 they, him and Brown had pretty much got him down on
8 the ground and put the spit mask on him. And then he
9 was like, ah, well, that's enough and they picked him
10 up and just walked him over to the neg cell.

11 Q. So how did they, how did they get him to
12 to the ground? Did they knock him to the ground
13 or...?

14 A. They pretty much just kind of -- after
15 he had kinda hit him in the lower back like that, and
16 they were on each side, I don't know if there was a
17 leg sweep. That's what I could imagine would've
18 happened, 'cause he was just, I mean, he was kinda
19 going into the fetal while standing and they just,
20 both just kinda used their weight and pushed on him
21 and pushed him.

22 Q. Did he hit his head?

23 A. Not that I recall.

24 Q. Okay. So...

25 A. It was kind of like on, he kind of fell

1 down onto his knees and then onto his stomach.

2 Q. In the shower there was you and
3 Standridge and Brown and Williams?

4 A. Yes.

5 Q. Okay. Anybody else?

6 A. No.

7 Q. Did he get hit while he was in the
8 shower?

9 A. Other than on the lower back by Dakota,
10 that was it.

11 Q. Okay. So you brought him back in from
12 the shower, right?

13 A. We just -- they had -- I didn't touch
14 him after that. They just had held him on each side
15 and kinda walked him into the neg cell where they
16 pretty much just left him all night.

17 Q. Okay. How far is the shower from the,
18 from the neg cell?

19 A. I'd say probably 15 feet maybe.

20 Q. Okay. Not very far?

21 A. No. It's...

22 Q. Across the room?

23 A. Yeah, it was -- so when you've got the
24 trap and you're going into booking and you go through
25 that door, to the right there's a door and that's the